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10/761,584

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Jukka Tuomi

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SQUIRE, SANDERS & DEMPSEY L.L.P.
8000 TOWERS CRESCENT DRIVE
14TH FLOOR
VIENNA, VA 22182-6212

EXAMINER

GILLIS, BRIAN J

ART UNIT

PAPER NUMBER

2141

MAIL DATE

DELIVERY MODE

05/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/761,584	Applicant(s) TUOMI, JUKKA	
	Examiner Brian J. Gillis	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11 and 13-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11 and 13-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in The United Kingdom on October 24, 2003. It is noted, however, that applicant has not filed a certified copy of the 0324878.8 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5, 11, 13, 14, 16-21, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by McCanne (US Patent #6,785,704).

(Claim 1 discloses) an apparatus, comprising: an access controller connected to an access network and a domain, wherein the access network is configured to attach to user equipment (McCanne shows an APAR-DNS server provides access to a client by connecting to the client and to content servers (Figure 2, column 31, lines 10-23).); wherein said access controller is configured to control resolving of domain name information for both server addresses within said domain or accessible via said domain, and server addresses that are not within said domain or accessible via said domain (McCanne shows the APAR-DNS server controls address resolution for any domain (column 16, lines 34-56).); and wherein said access controller is configured to: receive from said user equipment a query identifying a domain name (McCanne shows a query

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with identifying the domain name is sent by the client (column 17, lines 53-60).); and in response to a determination that said user equipment is authorized and there is specified for said domain name a server address within said domain or accessible via said domain resolve domain name information for said domain name within said domain (McCanne shows the APAR-DNS server receives the query and if the client is authorized then the domain name is resolved into an IP address for the content server (column 31, lines 10-23).); and in response to a determination that the user equipment is not authorized and/or that there is no specified server address for said domain name within said domain or accessible via said domain resolve the domain name information for said domain name outside said domain (McCanne shows if the client is not authorized then an address the content server will ignore is returned (column 31, lines 10-23)).

(Claim 2 discloses) an apparatus as claimed in claim 1, wherein said access network comprises one of: an internet protocol based network independent of access method; a wireless local area network; a digital subscriber line network; an ethernet; a general packet radio service network; a third generation wireless network; and a wireless personal area network (McCanne shows a standard TCP/IP network is used (column 7, line 66 – column 8, line 5)).

(Claim 3 discloses) an apparatus as claimed in claim 1, wherein said domain is a mobile operator operated domain (McCanne shows various network architectures may be used (column 8, lines 37-49)).

(Claim 5 discloses) an apparatus as claimed in claim 1, comprising an authorization server function wherein said access controller is configured to determine if said user equipment is authorized by communication with said authorization server function (McCanne shows the APAR-DNS server uses an authorization function (column 31, lines 10-23)).

(Claim 11 discloses) an apparatus as claimed in claim 1, wherein the access controller is configured to in response to a determination that said user equipment is not authorized resolve said domain name at a server of the access network (McCanne shows if the client is not authorized then the request may be resolved to elsewhere (column 31, lines 10-23)).

(Claim 13 discloses) a system, comprising: user equipment (McCanne shows clients are used (Figure 2).); an access network to which said user equipment is configured to attach (McCanne shows the user is connected to a APAR-DNS server which provides access to resources (Figure 2, column 31, lines 10-23).), an access controller configured to connect to said access network (McCanne shows the APAR-DNS server controls access (Figure 2, column 31, lines 10-23).); and a domain to which said access controller is connected (McCanne shows the APAR-DNS server provides access to the content network (Figure 2, column 31, lines 10-23).); wherein said access controller is configured to control resolving of domain name information for both server addresses within said domain or accessible via said domain, and server addresses that are not within said domain or accessible via said domain (McCanne shows the APAR-DNS server controls address resolution for any domain (column 16, lines 34-56).); and

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wherein said access controller is configured to: receive from said user equipment a query identifying a domain name (McCanne shows a query with identifying the domain name is sent by the client (column 17, lines 53-60).); and in response to a determination that said user equipment is authorized and there is specified for said domain name a server address within said domain or accessible via said domain resolve domain name information for said domain name within said domain (McCanne shows the APAR-DNS server receives the query and if the client is authorized then the domain name is resolved into an IP address for the content server (column 31, lines 10-23).); and in response to a determination that the user equipment is not authorized and/or that there is no specified server address for said domain name within said domain or accessible via said domain resolve the domain name information for said domain name outside said domain (McCanne shows if the client is not authorized then an address the content server will ignore is returned (column 31, lines 10-23)).

(Claim 14 discloses) a system as claimed in claim 13, wherein said access controller is configured to determine when said user equipment is authorized by communication with an authorization server function (McCanne shows the APAR-DNS server uses an authorization function (column 31, lines 10-23)).

(Claim 16 discloses) a system as claimed in claim 13, wherein said access controller is configured to in response to a determination that said user equipment is not authorized resolve domain name information for said domain name at a server of said access network (McCanne shows if the client is not authorized then the request may be resolved to elsewhere (column 31, lines 10-23)).

(Claim 17 discloses) a method, comprising: receiving at an access controller connected to a domain and an access network from user equipment attached to said access network a query identifying a domain name (McCanne shows a query with identifying the domain name is sent by the client (column 17, lines 53-60).); and in response to a determination that said user equipment is authorized and there is specified for said domain name server address within said domain name within said domain (McCanne shows the APAR-DNS server receives the query and if the client is authorized then the domain name is resolved into an IP address for the content server (column 31, lines 10-23).); and in response to a determination that said user equipment is not authorized and/or that there is not specified server address for said domain name within said domain or accessible via said domain resolving the domain name information for said domain name outside said domain (McCanne shows if the client is not authorized then an address the content server will ignore is returned (column 31, lines 10-23)).

(Claim 18 discloses) an apparatus, comprising: receiving means for receiving at an access controller connected to an access network and a domain from user equipment attached to said access network a query identifying a domain name (McCanne shows a query with identifying the domain name is sent by the client (column 17, lines 53-60).); and controlling means for in response to a determination that said user equipment is authorized and there is specified for said domain name a server address within said domain or accessible via said domain resolving domain name information for said domain name within said domain (McCanne shows the APAR-DNS

server receives the query and if the client is authorized then the domain name is resolved into an IP address for the content server (column 31, lines 10-23).); and in response to a determination that said user equipment is not authorized and/or that there is not specified server address for said domain name within said domain or accessible via said domain resolving domain name information for said domain name outside said domain (McCanne shows if the client is not authorized then an address the content server will ignore is returned (column 31, lines 10-23)).

(Claim 19 discloses) a method as claimed in claim 17, wherein said access network comprises one of: an internet protocol based network independent of access method; a wireless local area network; a digital subscriber line network; an ethernet; a general packet radio service network; a third generation wireless network; and a wireless personal area network (McCanne shows a standard TCP/IP network is used (column 7, line 66 – column 8, line 5)).

(Claim 20 discloses) a method as claimed in claim 17, wherein said domain is a mobile operator operated domain (McCanne shows various network architectures may be used (column 8, lines 37-49)).

(Claim 21 discloses) a method as claimed in claim 17, comprising determining if said user equipment is authorized by communicating with an authorization server function (McCanne shows the APAR-DNS server uses an authorization function (column 31, lines 10-23)).

(Claim 26 discloses) a method as claimed in claim 17, comprising in response to a determination that said user equipment is not authorized, resolving domain name

information for said domain name at a server of said access network (McCanne shows the APAR-DNS server uses an authorization function (column 31, lines 10-23)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 7, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCanne (US Patent #6,785,704) in view of Roos (WIPO WO 2000/64104).

Claim 6 discloses an apparatus as claimed in claim 5, wherein said authorization server function comprises information defining a profile for said user equipment. McCanne teaches the limitations of claim 5 as recited above. It fails to teach said authorization server function comprises information defining a profile for said user equipment. Roos teaches the authentication server stores authorization information for users (figure 3).

McCanne and Roos are analogous art because they are both related to connecting a network device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the storage feature in Roos with the system in McCanne because this ensures a user as permission to establish a connection with the network (Roos, page 8, lines 24-26).

Claim 7 discloses an apparatus as claimed in claim 5, wherein said authorization server function is configured to provide attributes to said access controller, said access controller configured to determine session parameters for said user equipment based on said attributes. McCanne teaches the limitations of claim 5 as recited above. It fails to teach said authorization server function is configured to provide attributes to said access controller, said access controller configured to determine session parameters for said user equipment based on said attributes. Roos teaches the allowed services for each user is stored (figure 3, page 9, lines 19-26).

McCanne and Roos are analogous art because they are both related to connecting a network device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the storage feature in Roos with the system in McCanne because this ensures a user as permission to establish a connection with the network (Roos, page 8, lines 24-26).

Claim 22 discloses a method as claimed in claim 21, wherein said authorization server function comprises information defining a profile for said user equipment. McCanne teaches the limitations of claim 21 as recited above. It fails to teach said authorization server function comprises information defining a profile for said user equipment. Roos teaches the authentication server stores authorization information for users (figure 3).

McCanne and Roos are analogous art because they are both related to connecting a network device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the storage feature in Roos with the system in McCanne because this ensures a user as permission to establish a connection with the network (Roos, page 8, lines 24-26).

Claim 23 discloses a method as claimed in claim 21, wherein said authorization server function provides attributes to said access controller, and wherein the method further comprises determining session parameters for said user equipment based on said attributes. McCanne teaches the limitations of claim 21 as recited above. It fails to teach said authorization server function provides attributes to said access controller, and wherein the method further comprises determining session parameters for said user equipment based on said attributes. Roos teaches the allowed services for each user is stored (figure 3, page 9, lines 19-26).

McCanne and Roos are analogous art because they are both related to connecting a network device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the storage feature in Roos with the system in McCanne because this ensures a user as permission to establish a connection with the network (Roos, page 8, lines 24-26).

Claims 8-10, 15, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCanne (US Patent #6,785,704) in view of Westman et al (WIPO WO 2002/47415).

Claim 8 discloses an apparatus as claimed in claim 1, wherein said access controller is configured to provide an authorization function in the event that said query received from said user equipment identifies said access controller. McCanne teaches the limitations of claim 1 as recited above. It fails to teach said access controller is configured to provide an authorization function in the event that said query received from said user equipment identifies said access controller. Westman et al teaches a DNS query is sent and indicates the name of the server (page 10, lines 5-15).

McCanne and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in McCanne because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claim 9 discloses an apparatus as claimed in claim 1, wherein said access controller is configured to provide an authorization function in the event that said query received from said user equipment identifies said access controller as a primary domain name server. McCanne teaches the limitations of claim 1 as recited above. It fails to teach said access controller is configured to provide an authorization function in the event that said query received from said user equipment identifies said access controller as a primary domain name server. Westman et al teaches a DNS query is sent to the identified DNS server (page 10, lines 5-15).

McCanne and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in McCanne because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claim 10 discloses an apparatus as claimed in claim 8, wherein said query comprises a dynamic host configuration protocol query. Westman et al further teaches the use of DHCP queries (page 18, lines 23-35).

Claim 15 discloses a system as claimed in claim 13, wherein said access controller is configured to provide an authorization function in the event that the query received from said user equipment identifies said access controller. McCanne teaches the limitations of claim 13 as recited above. It fails to teach said access controller is configured to provide an authorization function in the event that the query received from said user equipment identifies said access controller. Westman et al teaches a DNS query is sent and indicates the name of the server (page 10, lines 5-15).

McCanne and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in McCanne because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claim 24 discloses a method as claimed in claim 17, further comprising providing an authorization function in the event that said query received from said user equipment identifies said access controller. McCanne teaches the limitations of claim 17 as recited above. It fails to teach providing an authorization function in the event that said query received from said user equipment identifies said access controller. Westman et al teaches a DNS query is sent and indicates the name of the server (page 10, lines 5-15).

McCanne and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in McCanne because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Claim 25 discloses a method as claimed in claim 17, further comprising providing an authorization function in the event that said query received from said user equipment identifies said access controller as a primary domain name server. McCanne teaches the limitations of claim 1 as recited above. It fails to teach providing an authorization function in the event that said query received from said user equipment identifies said access controller as a primary domain name server. Westman et al teaches a DNS query is sent to the identified DNS server (page 10, lines 5-15).

McCanne and Westman et al are analogous art because they are both related to providing network access to a device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use authorization if the access controller is identified feature in Westman et al with the system in McCanne because finding a serving network element is enabled to be quick and easy (Westman, page 2, lines 4-6).

Response to Arguments

Applicant's arguments with respect to claims 1, 13, 17, and 18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is (571)272-7952. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian J Gillis
Examiner
Art Unit 2141

/B. J. G./
Examiner, Art Unit 2141
5/5/2008

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145